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*Sam*

## United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, D.C. 20510

*Dec 75-0150*

January 28, 1975

Honorable William E. Colby  
Director of Central Intelligence  
Central Intelligence Agency  
Washington, D. C.

Dear Mr. Director:

Enclosed herewith is a copy of S. Res. 6, a resolution now pending before this Committee, which is referred to you for consideration.

It will be appreciated if you will submit to this Committee six copies of the recommendations of your Department with reference to this legislation.

Sincerely,

*John C. Stennis*  
John C. Stennis

Enclosure

UNCLASSIFIED	CONFIDENTIAL	SECRET
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**EXECUTIVE SECRETARIAT**  
Routing Slip

TO:	ACTION	INFO	DATE	INITIAL
1 DCI		X		
2 DDCI				
3 S/MC				
4 DDS&T				
5 DDI				
6 DDA				
7 DDO				
8 D/DCI/IC				
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SUSPENSE      5 February 1975  
Date

Remarks:

Response for DCI signature, please.

Executive Secretary  
 29 January 1975  
Date

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Approved For Release 2005/04/27 : CIA-RDP77M00144R00020008-2

ROUTING AND RECORD SHEET

Shw 6

SUBJECT: (Optional)

FROM:

Legislative Counsel  
7D49

EXTENSION

NO.

DATE

31 January 1975

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Director

RECEIVED

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mc  
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Three bills referred to the Senate Armed Services Committee have been sent to us for comments.

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Attached for your signature is an interim reply to the three requests.

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[Redacted Signature Box]

George L. Cary  
Legislative Counsel

and various academic and journalistic analysts have argued the need for a strong President in the present technological age. The structural inability of Congress to respond quickly and effectively to momentary crises has been called the "deadlock of democracy." Congress has been identified as "an obstacle to modern policymaking," and the Presidency has been labeled "as near perfection as can be achieved in an imperfect world." As Republican and Democratic Presidents have made successive incursions into the constitutional domain of the Congress, rationales have been provided by liberal and conservative commentators and by members of both parties.

The separation of powers was carefully designed by the delegates to the Constitutional Convention. The members of that assembly had two unhappy recollections which made real the theoretical teachings of Montesquieu and Blackstone that—

In any government the powers of the legislative, executive and judicial departments should be separate so that the whole could be kept in order by a system of checks and balances.

The first recollection was the tyranny and repression that the colonists suffered under the excess of authority practiced by King George of England. The second recollection was the anarchic deficiencies in governmental power experienced under the Articles of Confederation.

So the separation of powers made each branch of the government interdependent and not independent. This interdependence was felt necessary to insure majority rule without tyranny over the minority. As President Kennedy remarked, the separate branches should not be "rivals for power, but partners for progress."

Daniel Webster said:

It is the people's Constitution, the people's government, made for the people, made by the people, and answerable to the people.

Any American who finds fault with our governmental system should understand the provisions for amending the Constitution. George Washington warned:

If in the opinion of the people the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument for the good, it is the customary weapon by which free governments are destroyed.

Likewise, each judicial officer, legislator, or government executive should understand that to war against the Constitution violates his or her solemn oath to support it.

None of us can maintain "what I like is constitutional, what I dislike is unconstitutional." Down that path lies tyranny or anarchy.

In making formal recognition of September 17 as "Constitution Day" the people of the United States and those

elected and appointed officials who hold office under constitutional aegis should turn our thoughts to the important lessons of that document.

"Constitution Day" should become a day, not necessarily a holiday, but a day where each American may take a few minutes out to read over the Constitution and to think about what it means in our everyday life. By reading the Federalist papers, which Chief Justice John Marshall called "a complete commentary on our Constitution" we can understand the thoughts and ideas that form the foundation of "the most revolutionary document ever written." By considering the basic governmental framework of modern day life, we can realize how relevant those concepts still are today and we can begin to think through ways in which government's operations can be reformed in keeping with constitutional precepts, yet cognizant of technological advancement. Justice Learned Hand called the Constitution "the best political document ever made." Each American should understand and reflect on the wisdom of that statement.

The 84th Congress by a similar joint resolution designated the week of September 17 as "Constitution Week." My resolution would replace "Constitution Week" with "Constitution Day." I believe this change is desirable in that a single day will provide for a more concentrated observance of the importance of that epochal document. I am afraid that the spreading of previous ceremonies and activities over a period of several days has served to diffuse the impact upon our people that such a celebration should entail. "Constitution Day," for reasons of history and tradition, may never stand in the minds of our citizens on a par with July Fourth. I should, however, receive the recognition of those officials who hold their authority under its mandate. We should reflect on its purpose "to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty."

I hope that my congressional colleagues will consent to proclaim September 17, 1975, and each September 17 thereafter as "Constitution Day," so that appropriate ceremonies and activities may be observed.

On that date in 1787, as George Washington directed his fellow delegates to place their signatures on the parchment which presented the Constitution to the American public, Benjamin Franklin noted a painting of the Sun hanging on the Philadelphia State House wall, just over General Washington's shoulder. Mr. Franklin expressed his hope that "it is a rising and not a setting Sun." If each American, especially those of us in position of public trust, will rededicate ourselves to "preserve, protect, and defend the Constitution of the United States," perhaps we can feel more certain that the Sun will continue to rise.

# SENATE RESOLUTION 5—SUBMISSION OF A RESOLUTION FOR THE RELIEF OF COMDR. EDWARD W. RAWLINS

(Referred to the Committee on the Judiciary.)

Mr. MATHIAS submitted the following resolution:

S. Res. 5

Resolved,

Whereas S. 881, Ninety-first Congress, for the relief of Commander Edward White Rawlins, United States Navy (Retired), was referred to the Chief Commissioner of the U.S. Court of Claims by Senate Resolution No. 96 of the same Congress, approved by the Senate on September 3, 1969; and

Whereas the Chief Commissioner, pursuant to said S. Res. 96, and following detailed, adversary proceedings, reported favorably to the Senate on February 24, 1972, "that Commander Edward White Rawlins, the plaintiff, has an equitable—but not a legal—claim against the United States," and that "there is equitably due the plaintiff a retroactive promotion to the grade of captain on the active list of the Regular Navy as of July 1, 1947, and a retroactive retirement in that grade as of" (a date yet finally to be determined by currently pending litigation still before the Chief Commissioner); and

Whereas Commander Rawlins' advancing age—seventy-two years—clearly warrants some immediate remedial action without further aggravating the injustice of delay; Now, therefore, be it

Resolved, That as an interim measure in the name of partial equity and justice, and pending a final determination by the Chief Commissioner of the full and final remedies warranted in the case, it is the sense of the Senate that by executive appointment of the President the said Commander Rawlins should be deemed to have been advanced to the grade of captain on the active list of the Regular Navy for all purposes effective from July 1, 1947; and be it further

Resolved, that this action shall in no way prejudice full retroactive, compensatory determinations yet to be made by the Chief Commissioner.

# SENATE RESOLUTION 6—SUBMISSION OF A RESOLUTION TO ESTABLISH A SELECT COMMITTEE TO CONDUCT A STUDY OF INTELLIGENCE OPERATIONS

(Referred to the Committee on Armed Services.)

Mr. SCHWEIKER. Mr. President, on behalf of myself and Mr. PROXMIRE, I send to the desk for appropriate reference a resolution to create a select committee of the Senate to investigate the activities of the intelligence community of the Federal Government, to evaluate the charter of the Central Intelligence Agency, and to request the appointment of a special prosecutor by the President of the United States to act on any violations of existing Federal statutes by persons acting for, or on behalf of, the intelligence community.

I am particularly pleased that my good friend and distinguished colleague from Wisconsin, Mr. PROXMIRE, has joined me as the primary cosponsor of this measure. Senator PROXMIRE has established a rep-



January 15, 1975

## CONGRESSIONAL RECORD—SENATE

S 217

in Congress assembled, That, in honor of the Reverend Doctor Martin Luther King, Junior, who was born on January 15, 1929, January 15 of each year is hereby designated as "Martin Luther King Day". The President is authorized and requested to issue a proclamation each year calling upon the people of the United States to commemorate the life and the service to his country and its citizens of the Reverend Doctor Martin Luther King, Junior, and to observe that day with appropriate honors, ceremonies, and prayers.

By Mr. KENNEDY (for himself, Mr. CHILES, Mr. MCINTYRE, Mr. HATHAWAY, Mr. PELL, Mr. PAS-TORE, Mr. RUBIOFF, Mr. BROOKE, Mr. MUSKIE, Mr. HOLLINGS, and Mr. LEAHY):

S.J. Res. 3. A joint resolution to require the submission and approval by the Congress of fees on oil imports. Referred to the Committee on Finance.

Mr. KENNEDY. Mr. President, although I support the main goals of the President on the economy and energy, the specific proposals are seriously flawed in many basic respects.

The proposal for an immediate tax cut is a welcome about-face in the administration's original position, but the amount of the cut is too small, its two-stake timing is unwise, and the distribution of the benefits is excessively generous to the rich.

Although I support many of the details of the energy package, I am adamantly opposed to the exorbitant new taxes proposed on domestic and foreign oil, and I am today introducing legislation to block any such action by the President without the approval of Congress. The President is tragically wrong in asking the country to accept \$30 billion in higher prices for gasoline and fuel and he is wrong in giving the oil companies such a major role to play in the vital energy decisions that must be made.

The President's energy tax program is both inflationary and recessionary. Not only will it drive prices up by \$30 billion, but it will also drain \$30 billion from other areas of the economy. It is wishful thinking to believe the administration can devise a tax rebate policy to cushion the enormous and unfair burden that will be imposed on millions of individuals.

Especially harsh is the proposal to limit the increase in social security benefits to 5 percent this year. Why does the President single out the Nation's 25 million elderly for special hardship in the fight against inflation. The President spoke not a single word about price and wage restraint in the private sector. And, among Federal spending programs, why is social security the first to feel the knife? What about the fat in the defense budget? What about all the other sacred cows of the special interests?

Sadly, the social security moratorium is a clear symbol of the over-all proposals—windfalls for the well off, but heavy new hardships for everyone else.

Overall, the program is unfair—unfair to the elderly, unfair to the poor, unfair to workers, unfair to New England, and unfair to two hundred million average American citizens.

It is up to Congress now to act. We have a mandate of our own to bring the

economy back to health. We are ready to meet the challenge and we shall meet it in a way that is both more effective for the country and fairer to the average citizen than the program we heard today.

By Mr. INOUE:

S.J. Res. 4. A joint resolution to authorize and request the President of the United States to issue a proclamation designating September 17 as "Constitution Day." Referred to the Committee on the Judiciary.

Mr. INOUE. Mr. President, today I am introducing a resolution that will proclaim each September 17 as "Constitution Day."

The Declaration of Independence which was signed on July 4, 1776, by the 56 members of the Continental Congress marks the birth of our Nation and sets forth the basic philosophical beliefs upon which this country was founded. It is the Constitution of the United States, however, which was signed on September 17, 1787, by 39 delegates to the Constitutional Convention that inaugurated the birth of our Government by providing the legal framework for all its operations. The Constitution defines our National Government's form and functions and specifies the duties of and restrictions on the Federal Union and the individual States.

Each July 4 this Nation marks the day it became a free Nation. And in 1976 a nationwide bicentennial celebration will take place commemorating the Declaration of Independence and the historical significance of our breaking free from the chains of British suppression.

I believe the Constitution deserves similar national recognition. Gladstone, the eminent English jurist, believed our Constitution to be "the most wonderful work ever struck off at a given time by the brain and purpose of man." The Founding Fathers who drafted the Constitution included George Washington, Benjamin Franklin, James Madison, James Wilson, Edmund Randolph, and John Rutledge. Thomas Jefferson referred to these men as "an assembly of demigods." And it is the genius of their work that has served this Nation in times of war and peace, economic hardship and prosperity, political chicanery and virtue, governmental crisis and fortune. For almost 200 years of rapid, revolutionary, and unpredictable change in American society those few thousand words have directed the growth of this Nation toward greatness as the world's leader and champion of freedom.

In 1966, when Constitution Week was proclaimed by the late President Lyndon B. Johnson, he eloquently noted the historical and intellectual threads that were woven into the fabric of our governmental charter by those wise and learned men who met in Philadelphia during the hot summer of 1787. President Johnson stated:

Our Constitution did not spring forth in a single moment of inspiration. Rather, it was the culmination of man's long struggle for freedom, justice, equality, and recognition of the dignity of man. It reflects the wisdom of the Old and New Testaments, the democratic principles of ancient Greece, the justness of the Roman law, the concept of constitutional

liberty as guaranteed to Englishmen by the Magna Carta, and the dedication that caused our Founding Fathers to forsake the security of civilization to seek liberty, justice, and opportunity in the wilderness of the New World.

In recent years, however, there has been growing concern and a widespread belief that our Government has been undergoing a constitutional crisis. The form and functions which the Constitution defined for the various branches and levels of government have been criticized. The constitutional concepts of supreme law of the land, popular sovereignty, checks and balances, separation of powers, judicial supremacy, freedom of the press, and rights of free speech and assembly have all been challenged by various public officials, group spokesmen, and women and private citizens.

This crisis is reflected in a diminishing respect for our entire governmental and political system. Recent public opinion surveys show a large majority of Americans give our Government fair or poor marks for honesty, fairness, justice, efficiency, consideration, and responsiveness. One-third of the public have no or not very much trust or confidence in local government, 31 percent lack faith in State government, 30 percent give little or no credence to the Congress, 25 percent express doubts about the functioning of the Federal judiciary, and almost one-fourth of the public lacks trust in the executive branch.

In this atmosphere of alienation and frustration, the Constitution has too often been ignored or distorted rather than used as a guide for resolving our differences. Public officials have been denied their constitutional rights of free speech by bellowing hecklers. In return, public officials have attempted to deny or curtail protestors' constitutional rights of peaceable assembly. The free press has been assailed at the highest levels of government. And many citizens seem willing to see the "bearers of bad tidings" punished as if newsmen are responsible for the events they report.

The decrees of the Supreme Court have been decried, disregarded, or defied by private citizens and elected representatives alike. Constitutionally guaranteed civil rights and liberties have come under attack by advocates of law and order, while constitutional law and civil order have been ridiculed by proponents of anarchy.

The growth of Executive power has also become an issue of great concern over the past two decades in the Halls of Congress and across the Nation. The constitutional concepts of checks and balances and separation of powers have been weakened with the acquiescence of the Congress as successive administrations have sought more power. The much noted conflicts over Executive privilege, impoundments, the war powers, and the power of the purse are not new—they are a natural outgrowth of the history of congressional-Executive relations since the years of the New Deal. Even the triumph of our constitutional processes during the Watergate tragedies has not dissolved the concern of many citizens.

Leaders of both major political parties

in his character as a witness during his appearance before it, or in respect to the willful failure or refusal of any officer or employee of the executive branch of the United States Government or any person, firm, or corporation, or any officer or former officer or employee of any firm or corporation employed by the United States to conduct any intelligence operations or activities for the United States, to produce before the committee any books, checks, canceled checks, correspondence, communications, documents, financial records, papers, physical evidence, records, recordings, tapes, or materials in obedience in any subpoena or order; (7) to take depositions and other testimony on oath anywhere within the United States or in any other country; (8) to procure the temporary or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202 (1) of the Legislative Reorganization Act of 1946; (9) to use on a reimbursable basis, with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, the services of personnel of any such department or agency; (10) to use on a reimbursable basis or otherwise with the prior consent of the chairman of any other of the Senate committees or the chairman of any subcommittee of any committee of the Senate the facilities or services of any members of the staffs of such other Senate committees or any subcommittees of such other Senate committees whenever the select committee or its chairman deems that such action is necessary or appropriate to enable the select committee to make the investigation and study authorized and directed by this resolution; (11) to have access to any data, evidence, information, report, analysis, or document or papers relating to any of the matters or questions which it is authorized and directed to investigate and study in the custody or under the control of any department, agency, officer, or employee of the executive branch of the United States Government having the power under the laws of the United States to investigate any alleged criminal activities or to prosecute persons charged with crimes against the United States which will aid the select committee to prepare for or conduct the investigation and study authorized and directed by this resolution; and (12) to expend to the extent it determines necessary or appropriate any moneys made available to it by the Senate to perform the duties and exercise the powers conferred upon it by this resolution and to make the investigation and study it is authorized by this resolution to make.

(b) Subpoenas may be issued by the select committee acting through either of the co-chairmen or any other member designated by either of them, and may be served by any person designated by such chairman or other member anywhere within the borders of the United States. Either the chairman of the select committee, or any other member, thereof, is hereby authorized to administer oaths to any witnesses appearing before the committee.

(c) In preparing for or conducting the investigation and study authorized and directed by this resolution, the select committee shall be empowered to exercise the powers conferred upon committees of the Senate by section 6002 of title 18 of the United States

Code or any other Act of Congress regulating the granting of immunity to witnesses.

Sec. 4. The select committee shall have authority to recommend the enactment of any new legislation relating to the intelligence operations or activities of the Federal Government which the select committee considers necessary or desirable as the result of its study and investigation.

Sec. 5. The select committee shall make an interim report of its findings not later than six months after the date this resolution is agreed to, and a final report of the results of the investigation and study conducted by it pursuant to this resolution, together with its findings and its recommendations for any new legislation it deems necessary or desirable, to the Senate at the earliest practicable date, but no later than February 28, 1976. The select committee may also submit to the Senate such additional interim reports as it considers appropriate. After submission of its final report, the select committee shall have 90 days to close its affairs, and on the expiration of such 90 days shall cease to exist.

Sec. 6. Expenses of the select committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by either of the two co-chairmen of the select committee.

Sec. 7. (a) It is the sense of the Senate that the President immediately designate an individual of the highest character and integrity from outside the Executive Branch to serve as special prosecutor for the Government of the United States in any and all criminal investigations, indictments, and actions arising from any violations of the National Security Act of 1947 or the Central Intelligence Act of 1949 by any person acting individually or in combination with others.

(b) It is further the sense of the Senate that the President should grant such special prosecutor all authority necessary and proper to the effective performance of his duties and should submit the name of such designee to the Senate, requesting a resolution of approval of such designee.

#### SENATE RESOLUTION 7—SUBMISSION OF A RESOLUTION CONCERNING SALARY INCREASES IN THE FEDERAL GOVERNMENT

(Referred to the Committee on Post Office and Civil Service.)

Mr. HANSEN. Mr. President, today, we find the Nation confronted with a number of serious and complex economic problems. The economic woes of the Nation have affected almost every individual in our great country.

The President has recognized these problems and has made recommendations to the Congress to ease and, hopefully, put an end to our present economic difficulties.

Both the President and the Congress recognize there will be no immediate relief, but rather hope for steady economic recovery. During this recovery period, Americans are being asked to sacrifice and conserve.

At a time when the President and the Congress are asking Americans to sacrifice, it seems completely ridiculous that

serious consideration be given to a congressional pay raise. It would be clearly irresponsible for the Congress to raise salaries of its Members while concurrently asking the rest of the Nation to carry the burden of the present economic difficulties.

Mr. President, last year this same Senate voted against such a pay raise. Today, the economic plight of the country is worse than last year at this time. Accordingly, this year the need is even greater for the Senate to go on record opposing a pay raise.

It is in this context I introduce my resolution expressing the sense of the Senate that, first, the President should not recommend a pay raise for the Congress and other high-level Government officials, and, second, if the President should make such a recommendation, the recommendation should be disapproved.

Adoption of this resolution is necessary to express to the American people that the Congress, in time of economic difficulty, is holding the lid on unnecessary spending, and more importantly, will not consider raising salaries of its Members while asking those who elected them to sacrifice during these troubled economic times.

Mr. President, I ask unanimous consent that my resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

#### S. RES. 7

Resolved, That it is the sense of the Senate that (1) the President should recommend, with respect to his recommendations to be transmitted to Congress during calendar year 1975 under section 225 of the Federal Salary Act of 1967, that salaries of positions referred to in such section not be increased, and (2) if recommendations are made during calendar year 1975 for increases in salaries, those recommendations should be disapproved.

#### SENATE RESOLUTION 8—SUBMISSION OF A RESOLUTION CONCERNING PROPOSED BUDGETARY RESCISSIONS

(Ordered held at the desk, by unanimous consent.)

Mr. CANNON. Mr. President, today I have introduced a resolution which if passed will in spirit disapprove a proposal by the President of the United States to rescind \$1.3 million previously appropriated by the Immigration and Naturalization Service for detention and deportation of illegal aliens. It is imperative that we act on this resolution with great speed, to set the record and to inform the President that the U.S. Senate will not approve rescissions where the integrity of the law enforcement system is put in jeopardy.

Recently, in my home State of Nevada,



utation for speaking frankly, forcefully, and intelligently on issues facing the Senate and the country; he was among the first to raise serious questions concerning the composition of the so-called "blue ribbon commission" named to investigate the CIA, and he has consistently fought to improve civilian control over intelligence operations. I am delighted to be joined by Senator PROXMIRE in introducing this important measure.

It is clear that something is wrong at the Central Intelligence Agency. We have learned of the CIA involvement in overthrowing the Chilean Government, the CIA involvement in Watergate, the apparent CIA involvement in domestic surveillance, and, most recently, the CIA involvement in industrial espionage against our closest NATO allies which I disclosed last week. So something is wrong, Mr. President—it seems to me the CIA has either become a runaway bureaucracy, or it has, at the request of other Government agencies or officials, become a sort of shadow government engaged in non-intelligence activities solely to expedite action or minimize congressional oversight.

The CIA, however, is only a small part of the entire intelligence community of the Federal Government. It employs full-time less than 15 percent of the persons employed fulltime in intelligence activities by the Federal Government, and its budget, by best estimates, is slightly more than 10 percent of the entire Federal intelligence community budget. So it does not make sense to examine the CIA in a vacuum, and the resolution we introduce today will permit the Senate to study the entire Federal intelligence community.

Equally important, our resolution requests that the President appoint a special prosecutor to investigate and to act on any violations of law which have occurred in the Federal intelligence community. A free nation must have an effective intelligence service, and effective intelligence may involve some actions which are repugnant to a free society. But if such actions are necessary, they must be conducted within precisely defined statutory limits—and the integrity of our institutions requires that any violations of these statutory limits be vigorously prosecuted.

Moreover, it is clear that a special prosecutor, from outside of Government is required because of the repeated allegations that other agencies of Government, including the Justice Department, have been involved in CIA excesses. Only last week, it was reported that the Justice Department supplied the CIA with names of domestic dissidents for surveillance overseas; it was also charged that the CIA surveillance was not confined to overseas. So we believe a special prosecutor, guaranteed to have the independence which marked the Watergate prosecutor's office, is required.

Mr. President, I ask unanimous consent that this resolution be printed in full at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### S. RES. 6

*Resolved*, That (a) there is established a select committee of the Senate, to be known as the Select Committee on Intelligence Operations and Activities (hereinafter referred to as the "select committee"), to conduct a study and investigation of the intelligence operations and activities carried out by, under the direction or supervision of, or on behalf of the intelligence community of the Federal Government with a view to determining whether, and to what extent, illegal, improper, or unethical actions, have been engaged in by any persons, acting either individually or in combination with others, while carrying out intelligence operations or activities or while acting under the guise of carrying out such operations or activities.

(b) The select committee shall be composed of eight members of the Senate, four to be appointed by the majority leader of the Senate and four to be appointed by the minority leader of the Senate, but not more than two members of the select committee may be members of subcommittees having permanent jurisdiction over Central Intelligence Agency authorizations or appropriations.

(c) The select committee shall select a chairman from among its members from the majority party and a co-chairman from the minority party. A majority of the members of the select committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee.

(d) For the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the select committee shall not be taken into account.

SEC. 2. (a) The select committee is authorized and directed to do everything necessary or appropriate to carry out the study and investigation specified in the first section of this resolution.

(b) Without limiting the foregoing, it shall also be the function of the select committee to conduct a study and investigation with respect to the charter of the Central Intelligence Agency, including, but not limited to, a consideration of the following matters:

(1) The extent to which the statutory authority of the Central Intelligence Agency has been modified, expanded, or diminished by Executive Orders, by National Security Council actions, decrees, or directives, or by other means.

(2) The effectiveness of civilian control of, and Congressional oversight over, the intelligence community of the Federal Government, in insuring its operation within existing statutory guidelines, and the impact which any modifications of authority described in paragraph (1) of this section may have had on such control and oversight.

(3) The effectiveness of the existing charter in guaranteeing individual constitutional rights and the integrity of democratic insti-

tutions, consistent with the requirements of national security.

(4) The nature and extent of any Central Intelligence Agency activities performed on behalf of, or at the request of, other government departments, agencies, or officials.

(5) The extent to which the Central Intelligence Agency activities duplicate or supersede the non-classified activities of other government departments or agencies.

(6) The effectiveness of existing charter provisions in maximizing legitimate intelligence coordination and evaluation, while minimizing covert operations.

(7) The extent of any involvement by the intelligence community of the Federal Government in the private sector of the domestic economy, and the effectiveness of existing statutes in defining such involvement consistent with the national interest.

(c) As used in this resolution, the term "intelligence community of the Federal Government" includes—

- (1) United States Intelligence Board;
- (2) The Central Intelligence Agency;
- (3) The Defense Intelligence Agency;
- (4) The Intelligence and Reports Bureau of the Department of State;
- (5) The National Security Agency;
- (6) The intelligence components of the Army, Navy, and Air Force;
- (7) The Atomic Energy Commission;
- (8) The Federal Bureau of Investigation;
- (9) The Department of the Treasury; and
- (10) Any other department, agency, bureau, or office engaged in or responsible for intelligence operations or activities for or on behalf of the Federal Government.

SEC. 3. (a) To enable the select committee to make the investigation and study authorized and directed by this resolution, such committee is authorized (1) to employ and fix the compensation of such clerical, investigatory, legal, technical, and other assistants as it deems necessary or appropriate; (2) to sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate; (3) to hold hearings for taking testimony on oath or to receive documentary or physical evidence relating to the matters and questions it is authorized to investigate or study; (4) to require by subpoena or otherwise the attendance as witnesses of any persons who the select committee believes have knowledge or information concerning any of the matters or questions it is authorized to investigate and study; (5) to require by subpoena or order any department, agency, officer, or employee of the executive branch of the United States Government, or any private person, firm, or corporation, or any officer or former officer or employee of any firm or corporation employed by the United States to conduct any intelligence operations or activities for the United States, to produce for the consideration of the select committee or for use as evidence in its investigation and study any books, checks, canceled checks, correspondence, communications, documents, financial records, papers, physical evidence, records, recordings, tapes, or materials relating to any of the matters or questions it is authorized to study and investigate which they or any of them may have, in their custody or under their control; (6) to make to the Senate any recommendations it deems appropriate in respect to the willful failure or refusal of any person to appear before it in obedience to a subpoena or order, or in respect to the willful failure or refusal of any person to answer questions or give testimony